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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,944	11/30/2001	Sanjeev Kumar Chandak	05793.3077	3988

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EXAMINER

VAN BRAMER, JOHN W

ART UNIT PAPER NUMBER

3622

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/996,944	Applicant(s) CHANDAK ET AL.	
	Examiner John Van Bramer	Art Unit 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it contains more than 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 8-13, and 18-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al (U.S. Patent Number: 6,018,718).

Claim 1: Walker discloses a method for managing a financial account for a consumer, comprising:

- a. Providing the financial account to the consumer, wherein the financial account is associated with a reward incentive parameter indicating a predetermined amount of reward points that will be associated with the financial account based on a predetermined payment amount to the account. (Col 3, lines 16-25; Col 4 lines 18-27; Col 6 lines 15-29; and Col 7 line 61 – Col 8 line 60)
- b. Receiving a payment for a particular amount to the financial account. (Col 6 lines 48-56)
- c. Determining an amount of reward points to associate with the financial account based on the reward incentive parameter and the received payment amount, wherein the determined amount of reward points can be used to receive a consumer good. (Col 6, lines 15-29 and Col 6 lines 37-47)

Claim 2: Walker discloses the method of claim 1, wherein determining an amount of reward points further comprises: determining whether the received payment amount is below a minimum payment amount. (Col 10, lines 3-13)

Claim 3: Walker discloses the method of claim 2, wherein determining an amount of reward points further comprises: reducing the amount of reward points based on a determination that an amount of the received payment is below the minimum payment amount. (Col 11, lines 1-12)

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Claim 7: Walker discloses the method of claim 1, wherein determining an amount of reward points further comprises: determining the amount of reward points to associate with the financial account based on an amount of the received payment and a reward distribution parameter. (Col 7, lines 61-67 and Col 11, lines 32-44)

Claim 8: Walker discloses the method of claim 7, wherein the reward distribution parameter is based on a financial risk associated with a customer corresponding to the financial account. (Col 7 lines 13-50)

Claim 9: Walker discloses the method of claim 8, wherein the reward distribution parameter is adjusted based on a change in the financial risk associated with the customer. (Col 8, lines 51-60)

Claim 10: Walker discloses the method of claim 1, further comprising: determining whether a customer corresponding to the financial account is eligible for one or more consumer goods based on a total amount of reward points associated with the financial account; and providing an indication to the customer reflecting a result of the determining whether the customer is eligible for one or more consumer goods. (Col 9, lines 36-55)

Claim 11: Walker discloses a system for managing a financial account for a consumer, comprising:

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a. Means for providing the financial account to the consumer, wherein the financial account is associated with a reward incentive parameter indicating a predetermined amount of reward points that will be associated with the financial account based on a predetermined payment amount to the account. (Col 3, lines 16-25; Col 4 lines 18-27; Col 6 lines 15-29; and Col 7 line 61 – Col 8 line 60)

b. Means for receiving a payment for a particular amount to the financial account. (Col 6 lines 48-56)

c. Means for determining an amount of reward points to associate with the financial account based on the reward incentive parameter and the received payment amount, wherein the determined amount of reward points can be used to receive a consumer good. (Col 6, lines 15-29 and Col 6 lines 37-47)

Claim 12: Walker discloses the system of claim 11, wherein the means for determining an amount of reward points further comprises: means for determining whether the received payment amount is below a minimum payment amount. (Col 10, lines 3-13)

Claim 13: Walker discloses the system of claim 12, wherein the means for determining an amount of reward points further comprises: means for reducing the amount of reward points based on a determination that an amount of the received payment is below the minimum payment amount. (Col 11, lines 1-12)

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Claim 17: Walker discloses the system of claim 11, wherein the means for determining an amount of reward points further comprises: means for determining the amount of reward points to associate with the financial account based on an amount of the received payment and a reward distribution parameter. (Col 7, lines 61-67 and Col 11, lines 32-44)

Claim 18: Walker discloses the system of claim 17, wherein the reward distribution parameter is based on a financial risk associated with a customer corresponding to the financial account. (Col 7 lines 13-50)

Claim 19: Walker discloses the system of claim 18, wherein the reward distribution parameter is adjusted based on a change in the financial risk associated with the customer. (Col 8, lines 51-60)

Claim 20: Walker discloses the system of claim 11, further comprising: means for determining whether a customer corresponding to the financial account is eligible for one or more consumer goods based on a total amount of reward points associated with the financial account; and means for providing an indication to the customer reflecting a result of the determining whether the customer is eligible for one or more consumer goods. (Col 9, lines 36-55)

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Claim 21: Walker discloses a computer-readable medium including instructions for performing a method, when executed by a processor, for managing a financial account for a consumer, the method comprising:

- a. Providing the financial account to the consumer, wherein the financial account is associated with a reward incentive parameter indicating a predetermined amount of reward points that will be associated with the financial account based on a predetermined payment amount to the account. (Col 3, lines 16-25; Col 4 lines 18-27; Col 6 lines 15-29; and Col 7 line 61 – Col 8 line 60)
- b. Receiving a payment for a particular amount to the financial account. (Col 6 lines 48-56)
- c. Determining an amount of reward points to associate with the financial account based on the reward incentive parameter and the received payment amount, wherein the determined amount of reward points can be used to receive a consumer good. (Col 6, lines 15-29 and Col 6 lines 37-47)

Claim 22: Walker discloses the computer-readable medium of claim 21, wherein determining an amount of reward points further comprises: determining whether the received payment amount is below a minimum payment amount. (Col 10, lines 3-13)

Claim 23: Walker discloses the computer-readable medium of claim 22, wherein determining an amount of reward points further comprises: reducing the

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amount of reward points based on a determination that an amount of the received payment is below the minimum payment amount. (Col 11, lines 1-12)

Claim 27: Walker discloses the computer-readable medium of claim 21, wherein determining an amount of reward points further comprises: determining the amount of reward points to associate with the financial account based on an amount of the received payment and a reward distribution parameter. (Col 7, lines 61-67 and Col 11, lines 32-44)

Claim 28: Walker discloses the computer-readable medium of claim 27, wherein the reward distribution parameter is based on a financial risk associated with a customer corresponding to the financial account. (Col 7 lines 13-50)

Claim 29: Walker discloses the computer-readable medium of claim 28, wherein the reward distribution parameter is adjusted based on a change in the financial risk associated with the customer. (Col 8, lines 51-60)

Claim 30: Walker discloses the computer-readable medium of claim 21, the method further comprising: determining whether a customer corresponding to the financial account is eligible for one or more consumer goods based on a total amount of reward points associated with the financial account; and providing an indication to the

customer reflecting a result of the determining whether the customer is eligible for one or more consumer goods. (Col 9, lines 36-55)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-6, 14-16, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al (U.S. Patent Number: 6,018,718).

Claim 4: Walker discloses the method of claim 2, wherein determining an amount of reward points further comprises: reducing the amount of reward points based on a determination that the customer came close to achieving their designated performance value. (Col 11, lines 1-11), but does not explicitly say that the performance value is based upon the payment due date. Walker does however indicate that the payment due date is a valid criteria for performance rewards. (Col 7, lines 61-67 and Col 8, lines 51 – 60). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to create a targeted reward system in which payment due date was the criteria on which performance was evaluated. One would have been motivated to use payment due date as the targeted performance criteria in order to create an environment in which corporate cash flow and working capital could be accurately predicted.

Claim 5: Walker discloses the method of claim 2, wherein determining an amount of reward points further comprises: increasing the amount of reward points based on a determination that the customer has exceeded their designated performance value (Col 11, lines 11-32), but does not explicitly state that the performance value is based upon a minimum payment amount. Walker does however indicate that the extent of monthly payments is a valid criteria for performance rewards (Col 7, lines 61-67 and Col 8, lines 51 – 60). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to create a targeted reward system in which a minimum payment amount was the criteria on which performance was evaluated. One would have been motivated to use a minimum payment amount as the targeted performance criteria in order to provide those customers with large balances an incentive to reduce their outstanding debt and therefore reduce the companies risk exposure.

Claim 6: Walker discloses the method of claim 2, wherein determining an amount of reward points further comprises: increasing the amount of reward points based on a determination that the customer has exceeded their designated performance value ((Col 11, lines 11-32), but does not explicitly state that the performance value is based upon a payment due date. Walker does however indicate that the payment due date is a valid criteria for performance rewards. (Col 7, lines 61-67 and Col 8, lines 51 – 60). Therefore, it would have been obvious to one having ordinary

skill in the art at the time of the invention to create a targeted reward system in which payment due date was the criteria on which performance was evaluated. One would have been motivated to use payment due date as the targeted performance criteria in order to create an environment in which corporate cash flow and working capital could be accurately predicted.

Claim 14: Walker discloses the system of claim 12, wherein the means for determining an amount of reward points further comprises: reducing the amount of reward points based on a determination that the customer came close to achieving their designated performance value. (Col 11, lines 1-11), but does not explicitly say that the performance value is based upon the payment due date. Walker does however indicate that the payment due date is a valid criteria for performance rewards. (Col 7, lines 61-67 and Col 8, lines 51 – 60). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to create a targeted reward system in which payment due date was the criteria on which performance was evaluated. One would have been motivated to use payment due date as the targeted performance criteria in order to create an environment in which corporate cash flow and working capital could be accurately predicted.

Claim 15: Walker discloses the system of claim 12, wherein the means for determining an amount of reward points further comprises: increasing the amount of reward points based on a determination that the customer has exceeded their

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designated performance value (Col 11, lines 11-32), but does not explicitly state that the performance value is based upon a minimum payment amount. Walker does however indicate that the extent of monthly payments is a valid criteria for performance rewards (Col 7, lines 61-67 and Col 8, lines 51 – 60). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to create a targeted reward system in which a minimum payment amount was the criteria on which performance was evaluated. One would have been motivated to use a minimum payment amount as the targeted performance criteria in order to provide those customers with large balances an incentive to reduce their outstanding debt and therefore reduce the companies risk exposure.

Claim 16: Walker discloses the system of claim 12, wherein the means for determining an amount of reward points further comprises: increasing the amount of reward points based on a determination that the customer has exceeded their designated performance value ((Col 11, lines 11-32), but does not explicitly state that the performance value is based upon a payment due date. Walker does however indicate that the payment due date is a valid criteria for performance rewards. (Col 7, lines 61-67 and Col 8, lines 51 – 60). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to create a targeted reward system in which payment due date was the criteria on which performance was evaluated. One would have been motivated to use payment due date as the targeted

performance criteria in order to create an environment in which corporate cash flow and working capital could be accurately predicted.

Claim 24: Walker discloses the computer-readable medium of claim 22, wherein determining an amount of reward points further comprises: reducing the amount of reward points based on a determination that the customer came close to achieving their designated performance value. (Col 11, lines 1-11), but does not explicitly say that the performance value is based upon the payment due date. Walker does however indicate that the payment due date is a valid criteria for performance rewards. (Col 7, lines 61-67 and Col 8, lines 51 – 60). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to create a targeted reward system in which payment due date was the criteria on which performance was evaluated. One would have been motivated to use payment due date as the targeted performance criteria in order to create an environment in which corporate cash flow and working capital could be accurately predicted.

Claim 25: Walker discloses the computer-readable medium of claim 22, wherein determining an amount of reward points further comprises: increasing the amount of reward points based on a determination that the customer has exceeded their designated performance value (Col 11, lines 11-32), but does not explicitly state that the performance value is based upon a minimum payment amount. Walker does however indicate that the extent of monthly payments is a valid criteria for performance

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rewards (Col 7, lines 61-67 and Col 8, lines 51 – 60). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to create a targeted reward system in which a minimum payment amount was the criteria on which performance was evaluated. One would have been motivated to use a minimum payment amount as the targeted performance criteria in order to provide those customers with large balances an incentive to reduce their outstanding debt and therefore reduce the companies risk exposure.

Claim 26: Walker discloses the computer-readable medium of claim 22, wherein determining an amount of reward points further comprises: increasing the amount of reward points based on a determination that the customer has exceeded their designated performance value ((Col 11, lines 11-32), but does not explicitly state that the performance value is based upon a payment due date. Walker does however indicate that the payment due date is a valid criteria for performance rewards. (Col 7, lines 61-67 and Col 8, lines 51 – 60). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to create a targeted reward system in which payment due date was the criteria on which performance was evaluated. One would have been motivated to use payment due date as the targeted performance criteria in order to create an environment in which corporate cash flow and working capital could be accurately predicted.

Conclusion

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Burton et al (U.S. Patent Number: 5,025,372) which discloses a similar method for implementing an award incentive credit card product. Donnelly et al. (PGPUB 2002/20143621 A1) which discloses an incentive reward system for a financial account in which prompt payment is used as a performance criteria.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Van Bramer whose telephone number is (571) 272-8198. The examiner can normally be reached on 9am - 5pm Monday through Friday.

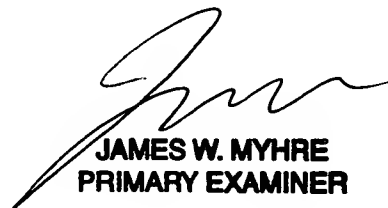
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jvb

jvb

November 1, 2005


JAMES W. MYHRE
PRIMARY EXAMINER